IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8197 OF 2004

Deoram Gangaram Yadav & Ors. .. Petitioners.
Vs.
Anandrao Baburao Deshmukh & Ors. .. Respondents.

Ms.Indrayani Koparkar for the petitioners.

CORAM : D.B.BHOSALE, J.

DATED : 20TH OCTOBER, 2004

P.C.:

. Heard Ms.Koparkar, learned counsel for the petitioners.

2. This petition challenges the concurrent findings recorded by the three authorities below in the enquiry under section 5 of the Mamlatdar Courts Act. The respondents had filed an application under section 5 of the Mamlatdar Courts Act seeking removal of the obstruction in their right of way passing through the lands owned by the petitioners which was allowed by the Tahsildar vide his order dated 12.6.2001. The appeal and thereafter the revision filed by the petitioners against the order dated 12.6.2001 were dismissed by the reasoned orders. All the authorities below have considered

the material placed before them. Keeping that in view and considering that there are the concurrent findings recorded by the courts below and as I find that there is sufficient material on record to sustain those findings and considering the extremely limited jurisdiction of this Court under Article 227 of the Constitution to disturb the finding of fact, present writ petition cannot be entertained. The petition, therefore, fails and is dismissed as such.

(D.B.Bhosale, J.)